

**PETITION FOR DECLARATORY STATEMENT
BEFORE THE FLORIDA BUILDING COMMISSION**

Petitioner:

Manuel Z. Lopez, P.E.
Deputy Building Official
City of Coral Gables
305-460-5242
mlopez@coralgables.com

DS 2022-025

Statute(s), Agency Rule(s), Agency Order(s) and/or Code Section(s) on which the Declaratory Statement is sought:

2020 Florida Building Code Residential
Chapter 3, Section R311.3.1, Exception

Background:

I have been employed by the City of Coral Gables since September 1988. I was first a structural plan examiner before I became Building Official in 1990. I was Building Official for approximately 27 years before retiring; I then came back to the City, and I'm now Deputy Building Official.

In my plan review of single family homes, I encounter this issue quite often as it relates to Section R311.3.1 and reads as follows:

R311.3.1 Floor elevations at the required egress doors.

Landings or finished floors at the required egress door shall not be more than 1 ½ inches (38 mm) lower than the top of the threshold.

Exception: The landing, or floor on the exterior side shall not be more than 7 ¼ inches (196 mm) below the top of the threshold.

This section first appeared in the **Florida Building Code Residential 2010 Edition**, but it read as follows:

Floor elevations at the required egress door.

Landings or floors at the required egress door shall not be more than 1 ½ inches (38 mm) lower than the top of the threshold.

Exception: The exterior landing or floor shall not be more than 7 ¼ inches (196 mm) below the top of the threshold provided the door does not swing over the landing or floor.

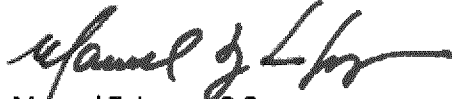
As you can see Section R311.3.1 is the same however the Exception is different. The sentence "provided the door does not swing over the landing or floor" has been removed. This change was made in the 2014 edition of the Florida Building Code Residential and has remained unchanged until today.

I believe that in making this change to the Exception in 2014 the writers of the Code created a contradiction to Section R311.3.1 since now the Exception seems to override the paragraph above.

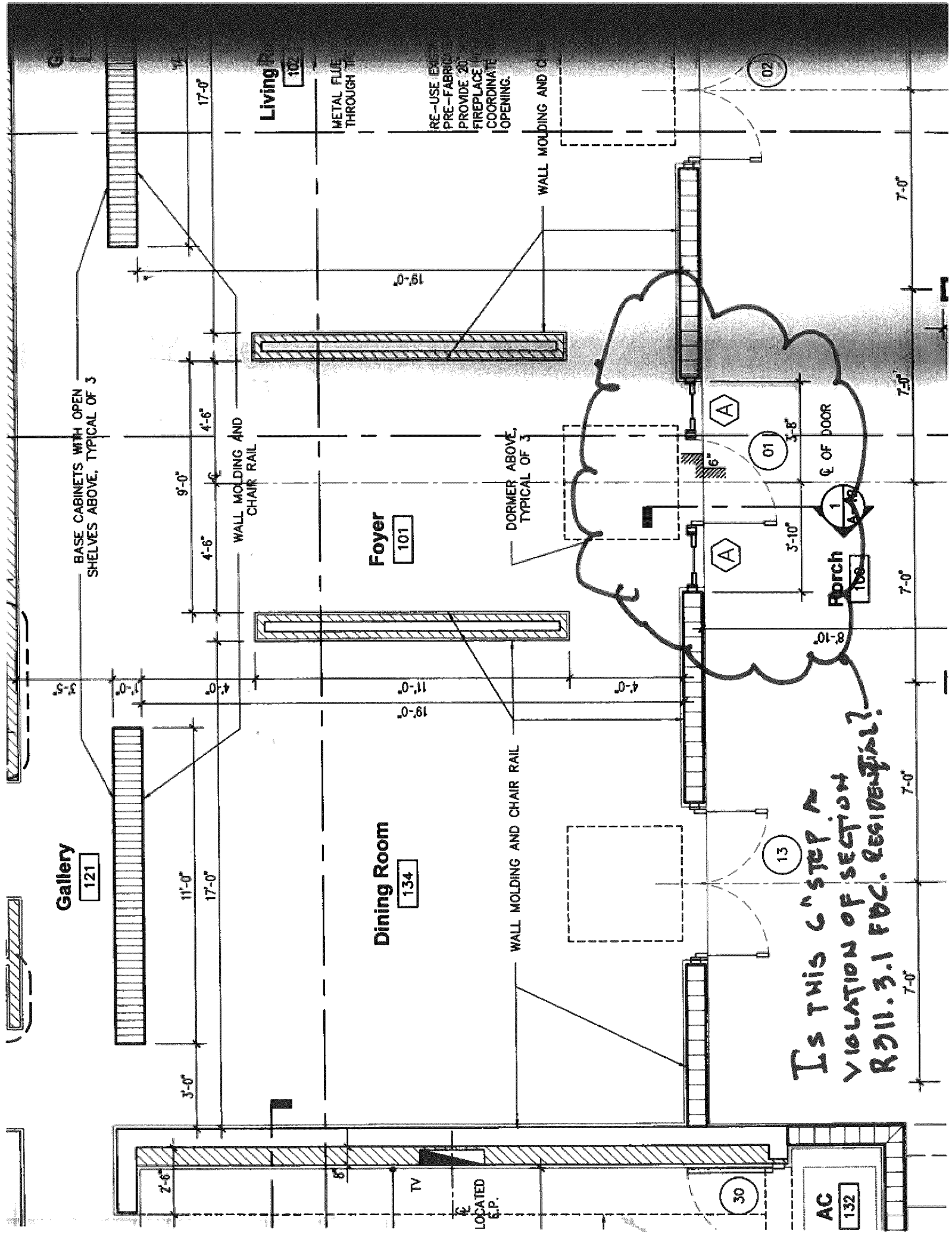
Question:

I am reviewing plans for a new house at 4901 Hammock Park Drive in Coral Gables. There is a 6" step at the main egress door (see attached copy of plan). Does this step violate Section R311.3.1 FBC Residential?

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Manuel Z. Lopez", with a stylized flourish at the end.

Manuel Z. Lopez, P.E.
Deputy Building Official



Gallery

121

Dining Room

134

Foyer

101

Living Room

102

Porch

100

Is this 6" step a violation of section R311.3.1 FDC. Residential?

AC

132

TV

LOCATED
E.P.

METAL FLUE
THROUGH THE

RE-USE EXISTING
PRE-FABRIC
PROVIDE 20"
FIREPLACE
COORDINATE
OPENING.

WALL MOLDING AND CHAIR RAIL

DORMER ABOVE,
TYPICAL OF 3

WALL MOLDING AND CHAIR RAIL

BASE CABINETS WITH OPEN
SHELVES ABOVE, TYPICAL OF 3

WALL MOLDING AND
CHAIR RAIL

inches (76 mm) from the wall and shall be spaced not more than 18 inches (457 mm) on center vertically for the full height of the window well.

R310.3 Bulkhead enclosures. Bulkhead enclosures shall provide direct access to the *basement*. The bulkhead enclosure with the door panels in the fully open position shall provide the minimum net clear opening required by Section R310.1.1. Bulkhead enclosures shall also comply with Section R311.7.8.2.

R310.4 Bars, grilles, covers and screens. Bars, grilles, covers, screens or similar devices are permitted to be placed over emergency escape and rescue openings, bulkhead enclosures, or window wells that serve such openings, provided the minimum net clear opening size complies with Sections R310.1.1 to R310.1.3, and such devices shall be releasable or removable from the inside without the use of a key, tool, special knowledge or force greater than that which is required for normal operation of the escape and rescue opening. The temporary installation or closure of storm shutters, panels, and other approved hurricane protection devices shall be permitted on emergency escape and rescue openings during the threat of a storm. Such devices shall not be required to comply with the operational constraints of Section R310.1.4. While such protection is provided, at least one means of escape from the dwelling or dwelling unit shall be provided. The means of escape shall be within the first floor of the dwelling or dwelling unit and shall not be located within a garage without a side-hinged door leading directly to the exterior. Occupants in any part of the dwelling or dwelling unit shall be able to access the means of escape without passing through a lockable door not under their control.

R310.5 Emergency escape windows under decks and porches. Emergency escape windows are allowed to be installed under decks and porches provided the location of the deck allows the emergency escape window to be fully opened and provides a path not less than 36 inches (914 mm) in height to a *yard* or court.

SECTION R311 MEANS OF EGRESS

R311.1 Means of egress. All *dwelling*s shall be provided with a means of egress as provided in this section. The means of egress shall provide a continuous and unobstructed path of vertical and horizontal egress travel from all portions of the *dwelling* to the exterior of the *dwelling* at the required egress door without requiring travel through a garage.

R311.2 Egress door. At least one egress door shall be provided for each *dwelling* unit. The egress door shall be side-hinged, and shall provide a minimum clear width of 32 inches (813 mm) when measured between the face of the door and the stop, with the door open 90 degrees (1.57 rad). The minimum clear height of the door opening shall not be less than 78 inches (1981 mm) in height measured from the top of the threshold to the bottom of the stop. Other doors shall not be required to comply with these minimum dimensions. Egress doors shall be readily openable from inside the *dwelling* without the use of a key or special knowledge or effort.

Exception: Buildings that are 400 square feet or less and that are intended for use in conjunction with one- and

two-family residences are not subject to the door height and width requirements of this code.

R311.3 Landings at doors. There shall be a floor or landing on each side of each exterior door.

Exception: Where a stairway of two or fewer risers is located on the exterior side of a door, a landing is not required for the exterior side of the door.

The floor or landing at exterior doors required by Section R311.2 shall not be required to comply with this requirement but shall have a rise no greater than that permitted in Section R311.7.4.

The width of each landing shall not be less than the door served. Every landing shall have a minimum dimension of 36 inches (914 mm) measured in the direction of travel.

R311.3.1 Floor elevations at the required egress doors. Landings or floors at the required egress door shall not be more than 1 1/2 inches (38 mm) lower than the top of the threshold.

Exception: The exterior landing or floor shall not be more than 7 1/2 inches (196 mm) below the top of the threshold provided the door does not swing over the landing or floor.

When exterior landings or floors serving the required egress door are not at *grade*, they shall be provided with access to *grade* by means of a ramp in accordance with Section R311.8 or a stairway in accordance with Section R311.7.

R311.3.2 Floor elevations for other exterior doors. Doors other than the required egress door shall be provided with landings or floors not more than 7 1/2 inches (196 mm) below the top of the threshold.

Exception: A landing is not required where a stairway of two or fewer risers is located on the exterior side of the door, provided the door does not swing over the stairway.

R311.3.3 Storm and screen doors. Storm and screen doors shall be permitted to swing over all exterior stairs and landings.

R311.4 Vertical egress. Egress from habitable levels including habitable attics and *basements* not provided with an egress door in accordance with Section R311.2 shall be by a ramp in accordance with Section R311.8 or a stairway in accordance with Section R311.7.

R311.5 Construction.

R311.5.1 Attachment. Exterior landings, decks, balconies, stairs and similar facilities shall be positively anchored to the primary structure to resist both vertical and lateral forces or shall be designed to be self-supporting. Attachment shall not be accomplished by use of toenails or nails subject to withdrawal.

R311.6 Hallways. The minimum width of a hallway shall be not less than 3 feet (914 mm).

R311.7 Stairways.

R311.7.1 Width. Stairways shall not be less than 36 inches (914 mm) in clear width at all points above the permitted

2014

R310.1.1 Minimum opening area. All emergency escape and rescue openings shall have a minimum net clear opening of 5.7 square feet (0.530 m²).

Exception: *Grade* floor openings shall have a minimum net clear opening of 5 square feet (0.465 m²).

R310.1.2 Minimum opening height. The minimum net clear opening height shall be 24 inches (610 mm).

R310.1.3 Minimum opening width. The minimum net clear opening width shall be 20 inches (508 mm).

R310.1.4 Operational constraints. Emergency escape and rescue openings shall be operational from the inside of the room without the use of keys, tools or special knowledge.

R310.2 Window wells. The minimum horizontal area of the window well shall be 9 square feet (0.9 m²), with a minimum horizontal projection and width of 36 inches (914 mm). The area of the window well shall allow the emergency escape and rescue opening to be fully opened.

Exception: The ladder or steps required by Section R310.2.1 shall be permitted to encroach a maximum of 6 inches (152 mm) into the required dimensions of the window well.

R310.2.1 Ladder and steps. Window wells with a vertical depth greater than 44 inches (1118 mm) shall be equipped with a permanently affixed ladder or steps usable with the window in the fully open position. Ladders or steps required by this section shall not be required to comply with Sections R311.7 and R311.8. Ladders or rungs shall have an inside width of at least 12 inches (305 mm), shall project at least 3 inches (76 mm) from the wall and shall be spaced not more than 18 inches (457 mm) on center vertically for the full height of the window well.

R310.2.2 Drainage. Window wells shall be designed for proper drainage by connecting to the building's foundation drainage system required by Section R405.1 or by an approved alternative method.

Exception: A drainage system for window wells is not required when the foundation is on well-drained soil or sand-gravel mixture soils according to the United Soil Classification System, Group I Soils, as detailed in Table R405.1.

R310.3 Bulkhead enclosures. Bulkhead enclosures shall provide direct access to the *basement*. The bulkhead enclosure with the door panels in the fully open position shall provide the minimum net clear opening required by Section R310.1.1. Bulkhead enclosures shall also comply with Section R311.7.10.2.

R310.4 Bars, grilles, covers and screens. Bars, grilles, covers, screens or similar devices are permitted to be placed over emergency escape and rescue openings, bulkhead enclosures, or window wells that serve such openings, provided the minimum net clear opening size complies with Sections R310.1.1 to R310.1.3, and such devices shall be releasable or removable from the inside without the use of a key, tool, special knowledge or force greater than that which is required for normal operation of the escape and rescue opening. The tem-

porary installation or closure of storm shutters, panels, and other approved hurricane protection devices shall be permitted on emergency escape and rescue openings during the threat of a storm. Such devices shall not be required to comply with the operational constraints of Section R310.1.4. While such protection is provided, at least one means of escape from the dwelling or dwelling unit shall be provided. The means of escape shall be within the first floor of the dwelling or dwelling unit and shall not be located within a garage without a side-hinged door leading directly to the exterior.

Occupants in any part of the dwelling or dwelling unit shall be able to access the means of escape without passing through a lockable door not under their control.

R310.5 Emergency escape windows under decks and porches. Emergency escape windows are allowed to be installed under decks and porches provided the location of the deck allows the emergency escape window to be fully opened and provides a path not less than 36 inches (914 mm) in height to a *yard* or court.

SECTION R311 MEANS OF EGRESS

R311.1 Means of egress. All *dwelling*s shall be provided with a means of egress as provided in this section. The means of egress shall provide a continuous and unobstructed path of vertical and horizontal egress travel from all portions of the *dwelling* to the exterior of the *dwelling* at the required egress door without requiring travel through a garage.

R311.2 Egress door. At least one egress door shall be provided for each *dwelling* unit. The egress door shall be side-hinged, and shall provide a minimum clear width of 32 inches (813 mm) when measured between the face of the door and the stop, with the door open 90 degrees (1.57 rad). The minimum clear height of the door opening shall not be less than 78 inches (1981 mm) in height measured from the top of the threshold to the bottom of the stop. Other doors shall not be required to comply with these minimum dimensions. Egress doors shall be readily openable from inside the *dwelling* without the use of a key or special knowledge or effort.

Exception: Buildings that are 400 square feet (37 m²) or less and that are intended for use in conjunction with one- and two-family residences are not subject to the door height and width requirements of this code.

R311.3 Floors and landings at exterior doors. There shall be a landing or floor on each side of each exterior door. The width of each landing shall not be less than the door served. Every landing shall have a minimum dimension of 36 inches (914 mm) measured in the direction of travel. Exterior landings shall be permitted to have a slope not to exceed 1/4 unit vertical in 12 units horizontal (2-percent).

Exception: Exterior balconies less than 60 square feet (5.6 m²) and only accessible from a door are permitted to have a landing less than 36 inches (914 mm) measured in the direction of travel.

R311.3.1 Floor elevations at the required egress doors. Landings or finished floors at the required egress door

shall not be more than $1\frac{1}{2}$ inches (38 mm) lower than the top of the threshold.

Exception: The landing or floor on the exterior side shall not be more than $7\frac{3}{4}$ inches (196 mm) below the top of the threshold.

Where exterior landings or floors serving the required egress door are not at *grade*, they shall be provided with access to *grade* by means of a ramp in accordance with Section R311.8 or a stairway in accordance with Section R311.7.

R311.3.2 Floor elevations for other exterior doors. Doors other than the required egress door shall be provided with landings or floors not more than $7\frac{3}{4}$ inches (196 mm) below the top of the threshold.

Exception: A landing is not required where a stairway of two or fewer risers is located on the exterior side of the door.

R311.3.3 Storm and screen doors. Storm and screen doors shall be permitted to swing over all exterior stairs and landings.

R311.4 Vertical egress. Egress from habitable levels including habitable attics and *basements* not provided with an egress door in accordance with Section R311.2 shall be by a ramp in accordance with Section R311.8 or a stairway in accordance with Section R311.7.

R311.5 Construction.

R311.5.1 Attachment. Exterior landings, decks, balconies, stairs and similar facilities shall be positively anchored to the primary structure to resist both vertical and lateral forces or shall be designed to be self-supporting. Attachment shall not be accomplished by use of toenails or nails subject to withdrawal.

R311.6 Hallways. The minimum width of a hallway shall be not less than 3 feet (914 mm).

R311.7 Stairways.

R311.7.1 Width. Stairways shall not be less than 36 inches (914 mm) in clear width at all points above the permitted handrail height and below the required headroom height. Handrails shall not project more than 4.5 inches (114 mm) on either side of the stairway and the minimum clear width of the stairway at and below the handrail height, including treads and landings, shall not be less than $31\frac{1}{2}$ inches (787 mm) where a handrail is installed on one side and 27 inches (698 mm) where handrails are provided on both sides.

Exception: The width of spiral stairways shall be in accordance with Section R311.7.10.1.

R311.7.2 Headroom. The minimum headroom in all parts of the stairway shall not be less than 6 feet 8 inches (2032 mm) measured vertically from the sloped line adjoining the tread nosing or from the floor surface of the landing or platform on that portion of the stairway.

Exception: Where the nosings of treads at the side of a flight extend under the edge of a floor opening through

which the stair passes, the floor opening shall be allowed to project horizontally into the required headroom a maximum of $4\frac{3}{4}$ inches (121 mm).

R311.7.3 Vertical rise. A flight of stairs shall not have a vertical rise larger than 12 feet (3658 mm) between floor levels or landings.

R311.7.4 Walkline. The walkline across winder treads shall be concentric to the curved direction of travel through the turn and located 12 inches (305 mm) from the side where the winders are narrower. The 12-inch (305 mm) dimension shall be measured from the widest point of the clear stair width at the walking surface of the winder. If winders are adjacent within the flight, the point of the widest clear stair width of the adjacent winders shall be used.

R311.7.5 Stair treads and risers. Stair treads and risers shall meet the requirements of this section. For the purposes of this section all dimensions and dimensioned surfaces shall be exclusive of carpets, rugs or runners.

R311.7.5.1 Risers. The maximum riser height shall be $7\frac{3}{4}$ inches (196 mm). The riser shall be measured vertically between leading edges of the adjacent treads. The greatest riser height within any flight of stairs shall not exceed the smallest by more than $\frac{3}{8}$ inch (9.5 mm). Risers shall be vertical or sloped from the underside of the nosing of the tread above at an angle not more than 30 degrees (0.51 rad) from the vertical. Open risers are permitted provided that the opening between treads does not permit the passage of a 4-inch-diameter (102 mm) sphere.

Exception: The opening between adjacent treads is not limited on stairs with a total rise of 30 inches (762 mm) or less.

R311.7.5.2 Treads. The minimum tread depth shall be 10 inches (254 mm). The tread depth shall be measured horizontally between the vertical planes of the foremost projection of adjacent treads and at a right angle to the tread's leading edge. The greatest tread depth within any flight of stairs shall not exceed the smallest by more than $\frac{3}{8}$ inch (9.5 mm).

R311.7.5.2.1 Winder treads. Winder treads shall have a minimum tread depth of 10 inches (254 mm) measured between the vertical planes of the foremost projection of adjacent treads at the intersections with the walkline. Winder treads shall have a minimum tread depth of 6 inches (152 mm) at any point within the clear width of the stair. Within any flight of stairs, the largest winder tread depth at the walkline shall not exceed the smallest winder tread by more than $\frac{3}{8}$ inch (9.5 mm). Consistently shaped winders at the walkline shall be allowed within the same flight of stairs as rectangular treads and do not have to be within $\frac{3}{8}$ inch (9.5 mm) of the rectangular tread depth.

R311.7.5.3 Nosings. The radius of curvature at the nosing shall be no greater than $\frac{9}{16}$ inch (14 mm). A nosing